

1 TOMIO B. NARITA (SBN 156576)
tnarita@snllp.com
2 JEFFREY A. TOPOR (SBN 195545)
jtopor@snllp.com
3 R. TRAVIS CAMPBELL (SBN 271580)
tcampbell@snllp.com
4 SIMMONDS & NARITA LLP
44 Montgomery Street, Suite 3010
5 San Francisco, CA 94104-4816
Telephone: (415) 283-1000
6 Facsimile: (415) 352-2625

7 Attorneys for Defendants
8 Portfolio Recovery Associates, LLC,
Hunt & Henriques, Michael Scott Hunt,
9 Janalie Ann Henriques, and
Anthony J. DiPiero
10

11 UNITED STATES DISTRICT COURT
12 NORTHERN DISTRICT OF CALIFORNIA
13

14 JULIA C. MEZA, on behalf of herself
15 and all other similarly situated,

16 Plaintiff,

17 vs.
18

19 PORTFOLIO RECOVERY
ASSOCIATES, LLC, a Delaware
20 limited liability company; HUNT &
HENRIQUES, a general partnership;
21 MICHAEL SCOTT HUNT,
individually and in his official
22 capacity; JANALIE ANN
HENRIQUES, individually and in her
23 official capacity; ANTHONY J.
DIPIERO, individually and in his
24 official capacity;

25 Defendants.
26
27
28

CASE NO.: 5:14-cv-03486-LHK

**~~PROPOSED~~ ORDER GRANTING
ADMINISTRATIVE MOTION TO
CONSIDER WHETHER CASES
SHOULD BE RELATED**

1 Before the Court is Defendants' Administrative Motion to consider whether
2 the following cases should be deemed related under Civil Local Rule 3-12:

3 *Meza v. Portfolio Recovery Assocs., LLC, et al.*, Case No.: 5:14-cv-03486-
4 LHK ("Meza");

5 *Ciganek v. Portfolio Recovery Assocs., LLC, et al.*, Case No.: 5:15-cv-03837-
6 LHK ("Ciganek");

7 *James v. Portfolio Recovery Assocs., LLC*, Case No.: 3:14-cv-03889-EMC
8 ("James");

9 *Gaines v. Portfolio Recovery Assocs., LLC, et al.*, Case No.: 3-19-cv-01078-
10 LB ("Gaines"); and

11 *Combs v. Portfolio Recovery Assocs., LLC, et al.*, Case No.: 5:19-cv-01118-
12 NC ("Combs") (together, "the CCP 98 cases").

13 Having read and considered the papers, the Court hereby GRANTS the motion
14 and ORDERS that the CCP 98 cases be related to each other.

15 The plaintiffs in each case assert identical claims against Portfolio Recovery
16 Associations, LLC ("PRA") and its attorneys under the Fair Debt Collection
17 Practices Act ("FDCPA"), 15 U.S.C. § 1692, *et seq.*, arising from declarations PRA
18 and its attorneys served on debtors pursuant to Section 98 of the California Code of
19 Civil Procedure ("CCP 98") in state court actions to collect delinquent financial
20 obligations owed to PRA. The plaintiffs in each case allege the PRA declarants
21 were not "available for service of process" as required by CCP 98 because they
22 authorized representatives (defendant Hunt & Henriques and other entities) to accept
23 service on their behalf. As a result, the plaintiffs contend the PRA declarations
24 violated sections 1692e and 1692f of the FDCPA. The plaintiffs are all represented
25 by the same counsel and each case is styled as a putative class action.

26 The Court has already found *Ciganek* related to *Meza*, and ordered it
27 transferred to this Court. Doc. No. 76. The Court explained the cases were related
28 because they both "concern substantially the same defendants, claims and events,

1 and it appears likely that there will be an unduly burdensome duplication of labor
2 and expense or conflicting results if the cases are conducted before different judges.”

3 *Id.* at p. 1. *James, Gaines* and *Combs* are related for the same reasons.

4 Accordingly, *James, Gaines* and *Combs* shall be reassigned to the undersigned
5 judge. All future filings are to bear the initials “LHK.” A copy of this Order shall be
6 filed in the *James, Gaines* and *Combs* dockets.

7
8 DATED: April 22, 2019



The Honorable Lucy H. Koh
United States District Judge